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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Solomon WASSER et al

Art Unit: 3643

Application No.: 10/705,196

Confirmation No.: 2921

Examiner: J. Gellner

Filed: November 12, 2003

Washington, D.C.

For: SUBSTRATE AND METHOD FOR GROWING SHIITAKE MUSHROOMS...

Atty.'s Docket: WASSER=1

Date: January 24, 2005

Customer Window, Mail Stop AMENDMENT

THE COMMISSIONER OF PATENTS AND TRADEMARKS

Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

Sir:

Transmitted herewith is a [XX] REPLY: AMENDMENT AND REMARKS in the above-identified application.

[XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[XX] No additional fee is required.

The fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) |
|---|---|----------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * 4 | MINUS | ** 20 | 0 |
| INDEP. | * 3 | MINUS | *** 3 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 25 | \$ |
| x 100 | \$ |
| + 180 | \$ |
| ADDITIONAL FEE TOTAL | |
| \$ | |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 50 | \$ |
| x 200 | \$ |
| + 360 | \$ |
| TOTAL | |
| \$ | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00
[] Second - \$ 225.00
[] Third - \$ 510.00
[] Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00
[] Second - \$ 450.00
[] Third - \$ 1020.00
[] Fourth - \$ 1,590.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$

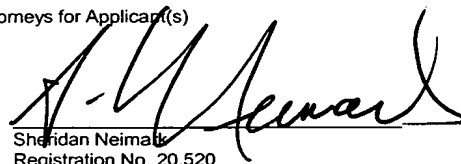
[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WASSER=1

| | | |
|-------------------------------|---|-----------------------|
| In re Application of: |) | Art Unit: 3643 |
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| Solomon WASSER et al |) | Examiner: J. GELLNER |
| |) | |
| Appln. No.: 10/705,196 |) | Washington, D.C. |
| |) | |
| Date Filed: November 12, 2003 |) | Confirmation No. 2921 |
| |) | |
| For: SUBSTRATE AND METHOD FOR |) | January 24, 2005 |
| GROWING SHIITAKE... |) | |

REPLY: AMENDMENT AND REMARKS

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

Replying to the Office Action mailed October 28,
2004, please amend as follows:

Amendments to the Claims are reflected in the listing of
claims which begins on page 2 of this paper.
Remarks/Arguments begin on page 3 of this paper.